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29159

7590

06/24/2009

K&L Gates LLP
P.O. Box 1135
CHICAGO, IL 60690

EXAMINER

PIERCE, DAMON JOSEPH

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 06/24/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,036	09/12/2003	Randall D. Mead	0112300-1409	6686

TITLE OF INVENTION: GAMING DEVICE HAVING MULTIPLE SELECTION GROUPS WITH RANDOMLY ALIGNING ADVANCES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/24/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

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B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

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Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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29159 7590 06/24/2009
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(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/24/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
PIERCE, DAMON JOSEPH	3714	463-020000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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K&L Gates LLP P.O. Box 1135 CHICAGO, IL 60690			PIERCE, DAMON JOSEPH	
			ART UNIT	PAPER NUMBER

3714

DATE MAILED: 06/24/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 827 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 827 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/661,036

Examiner

DAMON PIERCE

Applicant(s)

MEAD ET AL.

Art Unit

3714

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/27/09.
2. ☒ The allowed claim(s) is/are 1-55.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 6/23/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Dmitry Suhol/
Supervisory Patent Examiner, Art Unit 3714

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Adam Masia on Wednesday, May 27, 2009.

2. The application has been amended as follows:

"Claim 1 (previously presented): A gaming device comprising:

at least one input device;

at least one display device;

at least one processor; and

at least one memory device which stores a plurality of instructions, which when executed by the at least one processor, cause the at least one processor to operate with the at least one display device and the at least one input device to:

- (a) display a plurality of different selection groups;
- (b) display a plurality of selections in each of said selection groups, wherein a first one of the selections in a first one of the selection groups is linked to a first one of the selections in a second one of the selection groups;
- (c) associate a plurality of advances with the selections, wherein at least one selection of each of a plurality of the different selection groups is associated with one of said advances;
- (d) associate at least one award with at least one of the selections of at least one of the selection groups;

- (e) provide a player a number of picks of the selections from the selection groups;
- (f) enable the player to pick one of the selections from the first selection group, said pick counting against the provided number of picks;
- (g) if said picked selection is associated with one of the advances and said picked selection is linked to the first selection in the second selection group:
 - (i) automatically cause the pick of the first selection from the second selection group,
 - (ii) said automatically caused pick not counting against the provided number of picks, and
 - (iii) provide an advance award if another one of the advances is associated with said first selection automatically caused to be picked from the second selection group; and
- (h) indicate the at least one award if either:
 - (i) the player picks one of said selections associated with the at least one award, or
 - (ii) one of the advances causes the pick of one of said selections associated with the at least one award.

Claim 2 (previously presented): The gaming device of Claim 1, wherein if the player picks one of the selections associated with one of the advances, said pick of said selection associated with said advance counts against the provided number of picks and said automatically caused pick does not count against the provided number of picks.

Claim 3 (previously presented): The gaming device of Claim 1, which includes a plurality of links between the plurality of selections of at least two of the selection groups.

Claim 4 (previously presented): The gaming device of Claim 3, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to operate with the at least one display device to display the selection groups in alignment, each of the selection groups being aligned to show the links between the selections of at least two of the selection groups.

Claim 5 (previously presented): The gaming device of Claim 1, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to associate a plurality of the advances with a plurality of the selections in at least one of the selection groups.

Claim 6 (original): The gaming device of Claim 1, wherein the selection groups are arranged in an order and a percentage of advances associated with the selections decreases for each subsequent selection group.

Claim 7 (previously presented): The gaming device of Claim 1, which includes a plurality of awards, at least one of the awards associated with one of the selections of each of the selection groups, wherein when executed by the at least one processor, the plurality of instructions cause said at least one processor to indicate the award to be provided to the player if the player picks said selection or one of the advances causes the pick of said selection.

Claim 8 (previously presented): The gaming device of Claim 1, which includes a plurality of awards associated with a plurality of the selections of one of the selection groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 9 (previously presented): The gaming device of Claim 1, which includes a plurality of awards, one of said awards associated with each of the selections of each of the selection groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 10 (previously presented): The gaming device of Claim 1, which includes a plurality of awards associated with a plurality of the selections of the selection groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 11 (previously presented): The gaming device of Claim 1, which includes a plurality of awards, wherein each selection is associated with at least one of: (i) one of the advances, and (ii) one of said awards, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 12 (previously presented): The gaming device of Claim 1, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to reset the number of picks upon one of the selections having an associated advance being picked.

Claim 13 (previously presented): A gaming device comprising:
at least one input device;
at least one display device;
at least one processor; and

at least one memory device which stores a plurality of instructions, which when executed by the at least one processor, cause the at least one processor to operate with the at least one display device and the at least one input device to:

- (a) display a plurality of different selection groups;
- (b) display a plurality of selections in each of said selection groups, wherein at least one in each of the selection groups is linked to at least one of the selections in another one of the selection groups;
- (c) associate a plurality of advances with the selections, at least one selection of each of a plurality of the different selection groups being associated with one of said advances;
- (d) provide a player a number of picks from the selection groups;
- (e) enable the player to pick one of the selections from the selection groups, said pick counting against the provided number of picks;
- (f) indicate an award to be provided to the player if:
 - (i) the player picks one of the selections associated with one of the advances from a first one of the selection groups,
 - (ii) said picked selection from the first selection group is linked to one of the selections from a second one of the selection groups,
 - (iii) said advance automatically causes the pick of the selection from the second selection group which is linked to said picked selection from the first selection group, the automatically caused pick not counting against the provided number of picks,
 - (iv) another one of the advances is associated with said picked selection automatically caused to be picked from the second selection group, and
 - (v) at least one pick of the provided number of picks is remaining.

Claim 14 (previously presented): The gaming device of Claim 13, wherein if the player picks one of the selections associated with one of the advances, said pick of said selection associated with said advance counts against the provided number of picks and said automatically caused pick does not count against the provided number of picks.

Claim 15 (previously presented): The gaming device of Claim 13, which includes a plurality of links between the plurality of selections of at least two of the selection groups.

Claim 16 (previously presented): The gaming device of Claim 15, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to operate with the at least one display device to display the selection groups in alignment to show the links between selections of at least two of the selection groups.

Claim 17 (previously presented): The gaming device of Claim 13, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to associate a plurality of the advances with a plurality of the selections in at least one of the selection groups.

Claim 18 (previously presented): The gaming device of Claim 13, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to operate with the at least one display device to display the selection groups arranged in an order and a percentage of advances associated with the selections decreases for each subsequent selection group.

Claim 19 (previously presented): The gaming device of Claim 13, which includes at least one award associated with one of the selections of one of the groups, wherein when executed by the at least one processor, the plurality of instructions cause the at

least one processor to indicate said award to be provided to the player if the player picks said selection or an advance causes the pick of said selection.

Claim 20 (previously presented): The gaming device of Claim 13, which includes a plurality of awards associated with a plurality of the selections of one of the groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 21 (previously presented): The gaming device of Claim 13, which includes a plurality of awards, one of said awards associated with one of the selections of each of the groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 22 (previously presented): The gaming device of Claim 13, which includes a plurality of awards associated with a plurality of the selections of the groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 23 (previously presented): The gaming device of Claim 13, which includes a plurality of awards, wherein each selection not having an associated advance has one of said awards associated with said selection, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 24 (previously presented): The gaming device of Claim 13, wherein when executed by the at least one processor, the plurality of instructions cause the at least

one processor to reset the provided number of picks upon one of the selections having an associated advance being picked.

Claim 25 (previously presented): A gaming device comprising:

- at least one input device;
- at least one display device;
- at least one processor; and

at least one memory device which stores a plurality of instructions, which when executed by the at least one processor, cause the at least one processor to operate with the at least one display device and the at least one input device to:

- (a) display a plurality of selection groups;
- (b) display a plurality of selections in each of said selection groups, wherein at least one of the selections in each of the selection groups is linked to one of the selections in a different one of the selection groups;
- (c) associate a plurality of advances with the selections, wherein at least one selection of each of a plurality of the different selection groups is associated with one of said advances;
- (d) provide a player a number of picks from the selection groups;
- (e) enable the player to pick one of the selections from the selection groups;
- (f) indicate an award to be provided to the player if for each of two picks by the player:
 - (i) the player picks one of the selections associated with one of the advances, said pick counting against the provided number of picks,
 - (ii) said picked selection is linked to one of the selections from another one of the selection groups,
 - (iii) said advance automatically causes the pick of the selection from the second selection group which is linked to said

- picked selection from the first selection group, the automatically caused pick not counting against the providing number of picks, and
- (iv) said picked selection automatically caused to be picked by the advance is associated with another one of the advances.

Claim 26 (previously presented): The gaming device of Claim 25, wherein if the player picks one of the selections associated with one of the advances, said pick caused by said advance does not count against the provided number of picks.

Claim 27 (previously presented): The gaming device of Claim 25, which includes a plurality of links between a plurality of the selections of at least two of the selection groups.

Claim 28 (previously presented): The gaming device of Claim 27, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to operate with the at least one display device to display the selection groups in alignment, each of the selection groups being aligned to show the links between the selections of at least two of the selection groups.

Claim 29 (previously presented): The gaming device of Claim 25, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to associate a plurality of the advances with a plurality of the selections in at least one of the selection groups.

Claim 30 (previously presented): The gaming device of Claim 25, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to operate with the at least one display device to display the selection groups arranged in an order such that a percentage of advances with the selections decreases for each subsequent selection group.

Claim 31 (previously presented): The gaming device of Claim 25, which includes at least one award associated with one of the selections of one of the groups, wherein when executed by the at least one processor, the plurality of instructions cause said at least one processor to indicate the award to be provided to the player if the player picks said selection or an advance causes the pick of said selection.

Claim 32 (previously presented): The gaming device of Claim 25, which includes a plurality of awards associated with a plurality of the selections of one of the groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 33 (previously presented): The gaming device of Claim 25, which includes a plurality of awards, one of said awards associated with one of the selections of each of the groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate the each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 34 (previously presented): The gaming device of Claim 25, which includes a plurality of awards associated with a plurality of the selections of the groups, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate the each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 35 (previously presented): The gaming device of Claim 25, which includes a plurality of awards, wherein each selection not having an associated advance has one of said awards associated with said selection, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to indicate

the each award associated with the selections picked by the player and the selections caused to be picked by the advance.

Claim 36 (previously presented): The gaming device of Claim 25, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to reset the provided number of picks upon a selection having an associated advance symbol being picked.

Claim 37 (previously presented): A gaming device comprising:

- at least one input device;
- at least one display device;
- at least one processor; and

at least one memory device which stores a plurality of instructions, which when executed by the at least one processor, cause the at least one processor to operate with the at least one display device and the at least one input device to:

- (a) display a plurality of different selection groups;
- (b) display a plurality of selections in each of said different selection groups;
- (c) display a plurality of advances adapted to be associated with the selections, wherein at least one selection of each of a plurality of the different selection groups is associated with one of said advances;
- (d) indicate a number of picks from the selection groups for a player, said indicated number of picks being usable to pick from the plurality of the different selection groups;
- (e) indicate an advance award to be provided to the player if:
 - (i) the player picks one of the selections associated with a first one of the advances, said pick counting against the indicated number of picks,

- (ii) said first advance automatically causes the pick of one of the selections from a first different one of the selection groups which is linked to the picked selection, said automatically caused pick by the first advance not counting against the indicated number of picks,
- (iii) a second one of the advances is associated with said selection automatically caused to be picked by the first advance, and
- (iv) said second advance automatically causes the pick of one of the selections from a second different one of the selection groups which is linked to said selection automatically caused to be picked by the first advance or the advance award, said automatically caused pick by the second advance not counting against the indicated number of picks.

Claim 38 (previously presented): A gaming device comprising:

- at least one input device;
- at least one display device;
- at least one processor; and

at least one memory device which stores a plurality of instructions, which when executed by the at least one processor, cause the at least one processor to operate with the at least one display device and the at least one input device to:

- (a) display a plurality of first selections;
- (b) associate a first advance with one of the first selections;
- (c) display a plurality of second selections, wherein at least one of the first selections is individually associated with one of the second selections;
- (d) indicate a number of picks of the first and second selections,
- (e) enable a player to pick one of the first selections,

- (f) if the picked first selection is associated with the first advance, generate the first advance,
- (g) if the picked first selection is individually associated with one of the second selections, automatically cause the second selection to be picked, said automatically caused pick not counting against the indicated number of picks, and
- (h) if the picked second selection is associated with a second advance, cause an advance award to be provided to the player.

Claim 39 (original): The gaming device of Claims 38, which includes at least one award associated with one of the first selections.

Claim 40 (previously presented): The gaming device of Claim 38, wherein when executed by the at least one processor, the plurality of instructions cause the at least one processor to operate with the at least one display device to display the first and second selections aligned to indicate the associations between the first selections and second selections.

Claim 41 (currently amended): A method of operating a gaming device including a plurality of instructions, said method comprising:

- (a) causing at least one display device to display a plurality of different selection groups;
- (b) providing a number of picks to a player, the provided number of picks being usable to pick from a plurality of selection groups, each of the selection groups including a plurality of selections;
- (c) enabling the player to pick at least one selection from a first one of the selection groups;
- (d) if the picked selection is not associated with a first advancement which advances the player through the first selection group,

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- (i) ~~causing at least one processor to execute the plurality of instructions to count~~ the pick against the provided number of picks, and
- (ii) enabling the player to pick from the first selection group until the picked selection is associated with the first advancement;
- (e) if the picked selection is associated with the first advancement,
 - (i) ~~causing the at least one processor to execute the plurality of instructions to automatically cause a~~ pick one of the selections from a second one of the selection groups,
 - (ii) ~~causing the at least one processor to execute the plurality of instructions to maintain~~ the provided number of picks, such that the automatically caused pick does not count against the provided number of picks, and
 - (iii) enabling the player to pick at least one selection from the second selection group until the picked selection from the second selection group is associated with a second advancement which advances the player through the second selection group;
- (f) ~~causing the at least one processor to execute the plurality of instructions to track a~~ quantity of picks used by the player to advance through the first and second selection groups; and
- (g) causing an advance award to be provided to the player if the tracked quantity of picks for advancing through each of the first and second selection groups is less than or equal to the provided number of picks.

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Claim 42 (original): The method of Claim 41, which includes providing a separate number of picks for the first and second selection groups.

Claim 43 (currently amended): The method of Claim 41, which includes ~~causing the at least one processor to execute the plurality of instructions to require at least one~~ pick to be used to receive the advance award.

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Claim 44 (currently amended): The method of Claim 41, which includes, upon the picking of the first advancement, causing the at least one processor to execute the plurality of instructions to automatically reveal one of the selections in the second selection group, wherein the automatically revealed selection can yield the second advancement.

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Claim 45 (previously presented): The method of Claim 44, wherein the automatically revealed selection in the second selection group is related to the picked selection in the first group that yielded the first advancement.

Claim 46 (previously presented): The method of Claim 44, wherein the automatically revealed selection in the second selection group is randomly chosen upon picking the first advancement.

Claim 47 (currently amended): The method of Claim 41, which includes causing the at least one processor to execute the plurality of instructions to not count a pick in the second selection group that yields the second advancement if the pick is a result of the picked selection corresponding to the first advancement in the first selection group.

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Claim 48 (previously presented): The method of Claim 41, which includes providing steps (a) to (g) via a data network or a computer storage device.

Claim 49 (original): The method of Claim 48, wherein the data network includes an internet.

Claim 50 (currently amended): A method of operating a gaming device including a plurality of instructions, said method comprising:

(a) ~~causing at least one display device to display a plurality of different selection groups, each one of the selection groups including a plurality of selections;~~

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(b) providing a number of picks to a player, the provided number of picks being usable to pick from the plurality of different selection groups;

(c) enabling the player to pick from a first one of the selection groups;

(d) if the picked selection is not associated with a first advancement,

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(i) ~~causing at least one processor to execute the plurality of instructions to count the pick against the provided number of picks, and~~

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(ii) enabling the player to pick from the first selection group until the picked selection is associated with the first advancement;

(e) if the picked selection is associated with the first advancement, and the first advancement is not linked with a second advancement in a second one of the selection groups,

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(i) ~~causing the at least one processor to execute the plurality of instructions to count the pick against the provided number of picks, and~~

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(ii) enabling the player to pick from the second selection group until the player picks the second advancement;

(f) if the picked selection is associated with the first advancement, and the first advancement is linked with the second advancement in the second selection group,

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(i) ~~causing the at least one processor to execute the plurality of instructions to automatically cause the second advancement to be picked, and~~

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(ii) ~~causing the at least one processor to execute the plurality of instructions to maintain the provided number of picks, such that the automatically caused pick of the second~~

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advancement does not count against the provided number of picks; and

- (g) providing an advance award to the player for advancing through the first and second selection groups within a designated number of the picks.

Claim 51 (currently amended): The method of Claim 50, which includes, upon picking the first advancement, causing the at least one processor to execute the plurality of instructions to automatically reveal one of the selections in the second selection group, wherein the automatically revealed selection can yield the second advancement.

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Claim 52 (previously presented): The method of Claim 51, wherein the automatically revealed selection in the second selection group is related to the selection in the first selection group that yielded the first advancement.

Claim 53 (previously presented): The method of Claim 51, wherein the automatically revealed selection in the second selection group is randomly indicated by the first advancement.

Claim 54 (previously presented): The method of Claim 50, which includes providing steps (a) to (g) via a data network or a computer storage device.

Claim 55 (original): The method of Claim 54, wherein the data network includes an internet."

3. The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1, 13, 25, 37, 38, 41, and 50 the prior art lacks disclosing, teaching, or fairly suggesting an advance automatically causes the pick of

the selection from the second selection group which is linked to a picked selection from the first selection group, the automatically caused pick not counting against the provided number of picks.

The prior art of record, in particular, Cregan (US Pub. #2003/0013514) and Hughs-Baird (US Pat. 6,439,995) has advance indicators that automatically goes to a linked selection group, however, the player must select from the corresponding selection group which counts against the number of picks.

The instant invention distinguishes over Kamille (US Pat. #5,855,51), because Kamille direct the player as to which play area to pick if the player chooses to continue to play the game piece, whereas, the instant invention automatically picks corresponding selection. Kamille does not disclose automatically cause the pick of another play area on the game piece.

The instant invention is deemed to be an unobvious improvement over the cited prior art. The improvement comprises an advance automatically causes the pick of the selection from the second selection group which is linked to a picked selection from the first selection group, the automatically caused pick not counting against the provided number of picks. The advantages of using this gaming system are having a game with selection groups with alignable advances with a relatively high value advance or jackpot award. In this system a game player may automatically win two awards with one selection when an advance symbol is occurs and saves a player picks, thus, giving a player more opportunities to win more awards.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAMON PIERCE whose telephone number is (571)270-1997. The examiner can normally be reached on 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/
Supervisory Patent Examiner, Art
Unit 3714

DJP